IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORIGINAL SIDE

INCOME TAX APPEAL NO. 149 OF 2003

The Commissioner of Income-tax,
Mumbai-II, Mumbai-20. Appellant

vs.

M/s.India Coffee & Tea Distributing
Co. Ltd. Respondent

Mr.R.Asokan i/b. Mr.K.B. Rao for the appellant.

CORAM : R. M. LODHA &
J.P. DEVADHAR,JJ.

DATED : 23rd September 2004

P.C.

The learned counsel for the revenue prays for withdrawal of this appeal in view of the judgment in the case of Commissioner of Income Tax v. Indo Nippon Chemicals Co. Ltd., 261 ITR 275.

2. We accept the statement of the learned counsel and allow the appeal to be withdrawn.

3. Refund of court fee as per law.

(R.M. LODHA, J.)

(J.P. DEVADHAR,J.)